

REMARKS

Reconsideration of this Application is respectfully requested. Claims 1-8 and 21-23 are pending in this application with claim 1 being an independent claim. The specification and the drawings have been objected to. Claims 1-8 stand rejected as being anticipated under 35 U.S.C. § 102(b) over the Microsoft Press Computer Dictionary, 1994 (hereafter “the *MP* reference”). Claims 9-23 were rejected under 35 U.S.C. § 112, first paragraph. Applicant appreciates the courtesies extended by the Examiner during the personal interview conducted on November 18, 2003.

I. Interview with Examiner Hirl on December 9, 2003

During the personal interview conducted with Examiner Hirl on December 9, 2003, the Inventor provided the Examiner with a general background of the invention. Thereafter, Applicant’s Representatives discussed the Office Action in light of the application as filed.

Applicant’s Representatives discussed how they believed that figures were not necessary in the present application because the claims were solely directed to a method, and therefore figures were unnecessary. The Examiner stated that he would prefer to have a figure. Applicant’s representatives discussed the merits of the claim rejection under 35 U.S.C. § 102(b), and the Examiner suggested amending the claim to make clear the requirement for “preclassified clusters.”

Finally, Applicant’s Representatives discussed the merits of the rejection under 35 U.S.C. § 112, first paragraph. Applicant’s Representatives requested clarification as to which portions of the claim merited the rejection under § 112. The Examiner failed to provide Applicant’s Representatives with a discussion of particular portions of the claim that were believed to merit the § 112 rejection.

II. The Drawing Objection Has been Accommodated

To satisfy the Examiner’s request for drawings, Applicants have provided FIG. 1, a flow chart of the method of claim 1. No new matter has been added.

The Examiner's objection regarding the lack of figures being accommodated, Applicant respectfully requests the removal of the objection.

III. The Rejection of claims 9-23 has been Accommodated

Claims 9-23 stand rejected under 35 U.S.C. § 112, first paragraph.

To expedite prosecution of the present application, Applicant has cancelled claims 9-20 and has amended claims 21-23 as appropriate, thereby mooting the rejection of claims 9-23 under 35 U.S.C. § 112, first paragraph. Applicant respectfully requests that the Examiner withdraw this rejection.

IV. The Objections to the Specification Should be Withdrawn

The specification has been objected to because it "does not sufficiently disclose the invention [the learning algorithm described in the cited passage of the abstract] such that one of ordinary skill in the art can replicate the invention without undue experimentation." Office Action at p. 3.

Applicant submits that this objection has been mooted by the cancellation of claims 9-20 (directed to a learning algorithm). Therefore, Applicant respectfully requests that the objection to the specification be withdrawn.

V. The Claims are Patentable Over the MP Reference

Claims 1-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the *MP* reference.

Claim 1 recites: "assigning to the Object the classification of the identified preclassified data cluster or, if the Object vector rests outside of each of the plurality of preclassified data clusters, classifying the Object as an atypical cluster, the atypical cluster being associated with the position of the Object vector."

The *MP* reference discloses a dictionary definition of a vector. The *MP* reference discloses: "[i]n computer data structures, a one-dimensional array-a set of items arranged in a single column or row." Applicant notes that the Examiner read the elements involving the preclassified data clusters out of the claim. Applicant has amended claim 1 to clarify that the

preclassified data clusters are a portion of the claimed invention and should not be read out of the claims.

The *MP* reference does not disclose or suggest a method including “assigning to the Object the classification of the identified preclassified data cluster or, if the Object vector rests outside of each of the plurality of preclassified data clusters, classifying the Object as an atypical cluster, the atypical cluster being associated with the position of the Object vector.”

For at least this reason, claim 1 is allowable over the *MP* reference. Applicant respectfully requests that the Examiner withdraw the rejection of claim 1 under 35 U.S.C. § 102(b). Claims 2-8 depend from claim 1 and are allowable for at least this reason.

VI. Conclusion

All of the stated grounds of rejection have been properly traversed or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, this application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

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